

Prince Edward Today
"LOVE IN THE ROUGH"
Calf. Song, Romance
ALSO SHORT TALKIES

CAPITOL TODAY
BOB STEELE in
Thrilling Western Talkie
"OKLAHOMA CYCLONE"
ALSO SHORT REELS

Matinee 3.15
11c, 25c.
Eve. 7 & 8.45
21c, 35c.
MONDAY
AN AMERICAN PICTURE
Also Short Subject.

CAPITOL
TALKING PICTURE
JAMES MURRAY
KATHRYN CRAWFORD
IN
"The Hide-Out"
The crashing drama of a young racketeer who, using his college career to hide his big misstep, became the champion stroke oar and the model of clean sportsmanship. See him faced with the proposition of "throwing" the big race of the year or going to jail. Does he WIN? Come and learn the dramatically compelling answer.

BEAUTIFUL STAR IN HER MOST SENSATIONAL TALKIE
PRINCE EDWARD MONDAY
MATINEE 3.15
16c AND 37c.
EVENING 7 AND 8.45
26c - 42c - 52c.
"THE ROBBED ME OF THREE YEARS OF MY LIFE. I'LL MAKE HIM PAY"
Joan Crawford
IN
PAID
BOLD, BEAUTIFUL, BEWITCHING—SHE'S UNFORGETTABLE IN BAYARD VELLER'S GREAT TALKIE
She will sweep you off your feet as Mary Turner, the girl who lived only for revenge, but then succumbed to Love
ALSO NEWS AND COMIC

Evidence Heard In Clow Fatality

Second Manslaughter Case On Supreme Court Docket Opened Yesterday. Further Crown Witnesses To Be Heard Monday.

Continued from page 1)

In opening the case the Attorney General said the fifteenth day of November was a day of sad fatalities. The victim of one of the accidents was Herbert Clow of Rose Valley, who had previously suffered a severe accident in which he lost a leg. Clow had an intimate friend Claude McInnis, with whom he had planned to have a time on the evening of Nov. 15. The wagon in which they drove was a light express wagon with a box in it for a seat. Some days before McInnis had found a jar of moonshine in the woods near the County line. While driving back on the evening in question they consumed a "sample" of the liquid and brought back the jar. They began drinking out of the jar, and both became intoxicated. They went down to Bradalbane. Clow slipped off the seat and McInnis had to get out of the wagon to help him back. From that time McInnis remembers nothing until he woke up in a neighboring field. There is a great deal of mystery shrouding the events which transpired during this interval. Two men, McLeod and Beer, who were driving along the road about a clock saw the horse and wagon. They stopped and saw a man lying in the wagon and thought they heard moans in the woods. They informed neighbors of the occurrence. Lester McLeod of Victoria going to Bradalbane, saw a man lying on the road. He informed people at Bradalbane. Following Clow's death about five days after the tragedy, a coroner's inquest was held and McInnis was held in connection with the death. Later Constable Jay of the Provincial Police Force, while at Bradalbane, received certain information and as a result the officer went down to Victoria to interview Otto Curtis. Curtis was later arrested on a charge of manslaughter.

James A. Reardon civil engineer, Charlottetown, testified that he is employed by the Provincial Department of Public Works. He identified a plan of the road between Bradalbane and Rose Valley where the fatality occurred. On the east side there was a clear field, on the west side a thick growth. On the east was a three strand barbed wire fence, but there was no fence on the west side. Witness saw red clots on the road which had been covered over with snow.

Cross examined witness stated that the road is narrower than the provincial highways, about 20 or 21 feet wide.

McInnis' Evidence
Claude McInnis, 18, (sworn) stated that he knew Herbert Clow and that he went to school with him. Clow had an accident some years ago in which he had lost a leg. He saw Clow on the evening of Nov. 15 about 5 o'clock when he drove to the home of the witness in an express wagon with a little red horse, inclined, tained. Questioned further he insisted on being bailed. The sides of the wagon were about four inches when in an intoxicated condition, high. They had a bottle with them. Witness denied raising a row at similar to the one produced in court, his home on the morning of the 16th. In the bottle there was some moonshine which he had got from a gallon jug McKinnon down to his place. He

jar in the woods near the county line road.
Clow and witness, the latter stated, went out driving. They had some drinks from the bottle. After they had procured the jar they started for Bradalbane. Clow was driving. Neither of them were in condition to drive. Clow fell out of the wagon, but witness caught him with his left hand. Both fell out and landed on the ground. Witness did not know whether Clow was hurt. Witness cut his lip in falling. Both crawled back into the wagon. That was the last witness could remember till he woke up about 2 o'clock in the morning about half a mile further down the road. Witness then went to Gamester's at Bradalbane where he saw the wagon in the yard. He got his flashlight and went home. Witness identified jacket worn by Clow. Witness noticed blood on the road on his way home.

Cross examined the witness described the geography of the section of the county in question. He and Clow were in the habit of going to Gamester's for a game of cards. He used to go there to see a girl, but did not know whether or not Clow was going there for the same reason. The home of the witness had been raided on one occasion and moonshine had been found. Witness stated that he had not made, or "ran off" some moonshine with Isaac Stewart and a sign named McKinnon on the day before the fatality. After getting the moonshine he and Clow bought some cigarettes at Moar's store. Before the accident he and Clow were talking. Witness did not remember whether they were talking about seeing a girl. In falling out of the wagon witness cut his lip. He thought on the wheel of the wagon. One wheel was lower than the other; the wagon was weak. When witness went to Gamester's he thought Clow was there, so he took the flashlight and started for home. He had no purpose in leaving the moonshine in the wagon. Witness arrived home about 3 o'clock in the morning. He thought that had the search party been at the scene of the accident they would have found him. He saw lights going down the road as he crossed the fields toward home. Witness stated that he and Clow had always been good friends. He denied that they had ever fought for several hours on the road. They never fought over a girl at Gamester's.

Afternoon Session
Witness could not remember what was done with the bottle that was in the wagon. It was probably left there. He did not have the empty bottle in his hands later in the evening, to his knowledge. He could not explain how it got out of the wagon. It could have fallen out at the back. He did not have it in his hands after they had finished drinking out of it. Witness had not been drunk of the witness in an express wagon with a little red horse, inclined, tained. Questioned further he insisted on being bailed. The sides of the wagon were about four inches when in an intoxicated condition, high. They had a bottle with them. Witness denied raising a row at similar to the one produced in court, his home on the morning of the 16th. In the bottle there was some moonshine which he had got from a gallon jug McKinnon down to his place. He

denied that his mother had to send for McKinnon because he, witness, was raising a row and threatened to hang himself. He started out with Angus McKinnon of his own accord. After going to McKinnon's place he returned home. He had not seen Isaac Stewart that night; he had seen him about 4.30 that afternoon up past Rose Valley corner, on the road. He also met Herb Clow on the road. Witness was on a bicycle. Clow was with a horse and team. Stewart, Clow and witness had not been together in the wagon, to witness' recollection.
On redirect examination witness said Clow was in his usual health, to his knowledge.

Doctors' Evidence
Dr. Ernest D. Sinclair, Summerside, medical practitioner, testified to having seen Clow on 15th of November. He had been called to the hospital by Dr. Tarson to see the victim of an accident. He saw the case about midnight Saturday night. The man was unconscious, bleeding from wounds in the head. There were two main cuts on the head. One about 3 1/2 inches long, another situated a little further forward, not quite so extensive. On examining the wound behind it was found that the skull was fractured. He did not examine it personally. There were other doctors present who examined the wounds. Witness took x ray pictures the following day. He had fifteen years experience in this work. (Pictures produced in court.) They indicated a fracture of the skull. Clow had also a bruise on the groin, witness understood. Clow lived for six days after the injury; he died on the 21st.
Attorney General: "What have you to say as to the cause of death?"
Witness: "It was due in the first place to fracture; probably, secondly to meningitis."
"That would be due to the fracture?"
"Yes."
"How long would it take that to develop?"
"From a few hours to two or three days."
"What have you to say as to the cause of the wounds on the head?"
"I cannot say anything more than that they were made by some dull object."
"Why do you say a dull object?"
"The skin over the scalp was lacerated somewhat but the bone underneath was fractured in a linear manner, the fracture was in a straight line, not running out in a star shape as was caused by some blunt object."
"What would you say as to the force of a blow that would cause that injury?"
"I would think it would require a blow of considerable force."
"Would a blow of a bottle do it?"
"Yes, it might."
"A blow from a part of a motor car?"

Further Professional Evidence
Dr. J. R. Mathieson, Bradalbane, medical practitioner, testified to having known Clow for some six years. Clow had lost a leg two or three years ago. He seemed to be in a healthy, vigorous state. Witness saw Clow on the 15th of November last in an injured condition between 9 and 10 o'clock in the evening. He found him in an automobile in front of Mr. Murdoch Kennedy's store, Bradalbane. He was lying somewhat in a recumbent position in the car, his face and head matted with blood. He was quite unconscious. Witness had him taken into the store and examined. There were no loose or torn pieces of hair, but there was some hair embedded in the wounds, which he examined cursorily. One wound on the top back part of the skull running towards the right ear was between 2 and 3 inches long and was right through to the skull. Another wound at the front on the left side was not so deep. A third wound, as he thought, was below and to the left. It seemed circular in form. Witness did not see

"It would depend on what part of the car struck him. My experience with motor car injuries is not great, but any I have seen did not look like that. The scalp, in the cases that I have seen, was torn from the head."
Cross examined, witness repeated that it did not look like an injury from an automobile tire.
Mr. Johnston: "Could such an injury have been caused by a man falling out of a wagon?"
Witness: "I suppose it could be."
"There is a possibility there?"
"There is a possibility."
Witness was not sure whether the fracture was on the right or left side.
"Would you suggest that this man died from meningitis?"
"I would, as a result of the fracture, of course."
"Would Clow, in your opinion be able to move his body from one position to another after his injury?"
"Not very far."
"Any distance?"
"I should not think any distance," no. He might possibly, in an unconscious manner, drag his body a few feet.
It was possible, witness repeated, that the fracture could have been caused by the man falling out of a wagon.
The Court: "Can you conceive of how a man could receive injuries on the back and left side of the skull, and also on the groin, from an automobile passing by? What position could he possibly be in to receive those injuries from an automobile?"
Witness replied that the injury on the groin might have been caused by an automobile. He could not imagine how the other injuries on the skull could be received from an automobile at the same time.

Victim's Father on Stand
Herbert Clow, farmer, Rose Valley, father of the deceased man, testified that his son was in good health at the time of the tragedy. He had a leg taken off three years ago, but could get around pretty well without crutches. Deceased was 19 years old. Witness had worked with him at threshing on the afternoon of Nov. 15th. Deceased did not go home. He had his horse. Witness saw him again about 5 p. m. at the brook below the house, watering his horse. Deceased said he was going up the road. That was the last witness saw of him till he got word his son was hurt, between 10 and 11 o'clock that night. George Dixon came and knocked at the door. Witness got up and went to Kennedy's store, Bradalbane. Witness and Dr. Mathieson drove the victim to Prince County Hospital.
The clothes worn by Clow were produced in court and identified. After he returned home, witness with Dr. Mathieson started out to look for the horse and wagon.
They went to Trowsdale's, where witness and his son had been threshing. They woke Mr. Trowsdale up and the three went to Mr. McInnis' place. They woke Claude McInnis' father up and all together continued the search for the wagon. They went along the road with lanterns and found a lot of blood, a pair of gloves and a cap; later they picked up a piece of a wagon. Four or five yards away from where the blood was on the road they found a bottle.
They then proceeded to Gamester's where they found the wagon, with 2 jars and a bottle and a black buffalo robe. One of the jars seemed to be half full of moonshine.
Cross-examined, witness said the piece of wood found had been freshly broken off the wagon box. There had been boards put across this box to make the seat wider. One of these, a hardwood board, had been

split in two and was lying, one piece on each side of the road. The bottle was found about three chains up the road towards Bradalbane, 3 or 4 feet from where the blood was found. Lester McLeod, Victoria, a young lad employed in his father's butcher shop testified to having driven along the Bradalbane Road at about 9.30 on the night of Nov. 15th last and finding the deceased lying in the middle of the road, his head towards the left. Witness was driving a car and saw the man about 100 yards away. Witness drove back to Bradalbane and returned immediately with George Dixon. They spoke to the man lying on the road; he made no answer. They took him back to Bradalbane in Dixon's car. There were others in the car with witness when the man was found. Lying on the road, they first thought it was a bag of potatoes. Not till they got up, passing it, did they realize it was a man. The body was lying right across the centre of the road; it did not leave very much room to pass; they had to drive right to the gutter to do so. The man was lying on his side, facing Bradalbane.
Geddie McLeod, Bonshaw, farmer, testified to passing along the Bradalbane Road with Mr. Beer shortly after 8 p. m. on the evening of Nov. 15th. They noticed a team standing by the road and a man lying on his back in the wagon. They lit a couple of matches and tried unsuccessfully to wake him up. They did not know him. He did not appear to be injured, but seemed to be drunk. They heard a noise on the left, which they took to be from another drunken man.
Cross examined, witness said this was about 8.30 p. m. The team was on their side of the road. They passed it before stopping. There seemed nothing else wrong except the man lying in the wagon and the noise from the roadside, which might have been a man in pain or a man intoxicated. They did not investigate, because they had no light. Witness could not describe how the man in the wagon was dressed. He could not identify the coat produced in court. They did not notice the man's legs—whether he had one or two. His legs may have been over the side of the wagon. Witness did not notice anything broken off the wagon. He did not notice any jars in the wagon. When they could not wake the man they went along the road about a mile to Mr. Donald McKinnon's, the nearest house. They reported finding a man very drunk and of hearing a noise across the road. Mr. McKinnon said he would go up and see.

At 5 p. m. the court adjourned until 11 a. m. Monday.

this wound but he felt it. It seemed to be a deep wound.
Witness despatched Clow as quickly as possible to the Hospital. He saw him again on the following day. Clow had also, as witness recalled, a contused wound on the right side of the groin. It looked to be quite severe; showed great discoloration.
The wounds noticed on the head, especially one of them would be quite capable of causing death.
Attorney General: "What would you say as to the cause of those wounds?"
"Well, it has always been a mystery to me. Especially one which the X-ray showed was caused by a very violent blow and by a hard material. That is the wound I would consider as the fatal wound."
"What would you say about a bottle?"
"It would be capable of causing such a wound."
"What would you say about a motor car?"
"It would depend on what part. I would consider that a hard substance, such as a bottle, some metallic substance or a piece of hardwood would cause a wound."
"Would you say that any of the lower parts of a car might have caused such injury?"
"It is possible."
Cross-examined by Mr. Johnston: "It is not probable that a balloon tire would do it?"
"I can't conceive of it, but it is possible. It is extremely improbable, though."
"Your opinion would be that it must have been some very hard substance, such as a bottle or a piece of hardwood or a metallic substance of some kind?"
"Yes."
Witness did not notice any abrasion of the skin.
"If an auto went over a man's face would you expect to find abrasions of some kind?"
"My mental picture is this, that this man received three distinct blows, whether given by a vehicle or some other object I cannot say; but it seems to me that he got three distinct blows on the head; one on the side, the other on the back—that was the fracture—and a third, a circular wound that would admit the index finger, and did. I cannot conceive it unless the man was struck by an automobile and was then thrown some distance and struck some hard object."
On re-direct examination, witness repeated that the wound in the groin might have been caused by a car. He corroborated the preceding witness' statement that meningitis following a fracture of the skull was the cause of death.

South Africa Military System
CAPE TOWN, South Africa, Jan. 15.—The Union Government has made an important change in its system of military training in order to give air officers more opportunity of making a military career a life profession. In future all cadets, whether for the South African Air Force or South African Field Artillery will be trained as both gunners and pilots.
This will ensure that when a cadet qualifies for a commission he will be appointed in the permanent force and will be posted to the South African Air Force, where he will serve some years as a pilot and will then be transferred to the artillery or, if qualified in the staff duties course, to the South African Staff Corps.
This scheme opens considerably a wide field of promotion for airmen, and it is under these conditions that the next cadet course of 20 cadets, commencing on May 1, will be conducted. It will mean that in time to come all officers in the South African permanent force will be pilots, which will place South Africa's little army a step in advance of the other armies of the world.
In the case of the individual cadet it is obvious that the possibilities of a military career are increased, and the objection to the present Air Force as being in the nature of a dead end is to a great extent removed. In the past it has not been possible to present the South African Air Force generally as a full and final career for youths, as conditions of service peculiar to this arm did not allow of it.
It is accepted all the world over that no fighting pilot should be retained after the middle thirties, and it is for this reason that the Royal Air Force is divided into two categories; the permanent pilots who have had a reasonable chance of promotion to the higher ranks of command, and short service commissioned pilots who serve up to the age limit of usefulness of the pilot and are then retired with compensation. In South Africa the government have up to now followed the same idea, but as the force is a very small one, all airmen under the rank of major are now on short service commissions, which are renewed every three years, subject to satisfactory service on the part of the officer and provided he is not over the age of 30 as lieutenant or 35 as a captain, begins next May.


Shooting a Convict Not Warden's Right
(Canadian Press)
DURBAN, South Africa, Jan. 16.—A warden in a prison has no right to shoot a native convict, so a jury found in the case of a warden named Pretorius who was tried here on a charge of culpable homicide in connection with the shooting of a native named Goke. The jury returned an unanimous verdict of guilty, with a strong recommendation to mercy and added that in their opinion men of the mentality should not be placed in the position of guards in prisons.
Pretorius received a sentence of six months' imprisonment at hard labor, suspended for 12 months subject to good behavior.
The judge said he entirely agreed with the jury's rider, and added: "Before persons are appointed to act as wardens over prisoners care should be taken to see that they are thoroughly competent to do the work of supervising convicts." His Lordship commented upon a statement made by the prosecuting counsel to the effect that the accused warden had lost control of himself and did not know what he was doing when he shot Goke. The judge referred to a statement made at the trial that Pretorius was a person of infantile mentality, and the way in which he had given his evidence in his own behalf showed that this statement was not far wrong.
Excusing the light sentence meted out to the accused the judge said: "Were it not for the fact that you are temperamentally unfit ever to have been a warden I would have passed a severe sentence."

Deputy Of King Illegally Chosen
Australians Say
MELBOURNE, Australia, Jan. 14.—The appointment of Chief Justice Sir Isaac Isaacs as Governor-General of Australia is invalid, unless the British Cabinet actually discussed and approved it, in the opinion of Sir Edward Mitchell, K.C., and John Fullager, K.C., two eminent constitutional authorities of the State of Victoria.
The opinion was forthcoming in reply to questions addressed to the lawyers by a number of societies which have long opposed the appointment of a native Australian to the viceregal post. These societies protested against such an appointment as early as last June—long before Lord Stonehaven's successor was named, although the Cabinet's intentions had been rumored—and they have not rested with the announcement of the actual appointment.
If the constitutional view expressed by Sir Edward Mitchell and his colleague is correct, not only would the appointment of Sir Isaac be invalid, but all Federal bills which received his signature, as his Majesty's representative, would automatically be rendered invalid also. It would be possible, in such cases, for persons who considered themselves injured by such bills, to challenge their constitutionality.
The appointment of Sir Isaac Isaacs, on the recommendation of the present Labor Government, has aroused considerable criticism in Australia. The personality of the Chief Justice has not been called in question, but the ignoring of precedent, which has always demanded that the king be represented by a non-Australian, has caused resentment among a strong section of the press and the public.
I never hear you talk about your ancestors. Well, they never talked about me did they?
Proud parent (who served) What I told you is the story of the World War.
His son: But father, what did they need the rest of the army for?
Talk freely—this is the opera, not a golf links.—Arthur Bodanzky.
Never has there been so much to hate as in modern life.—Lord David Cecil.

Visitor—And wot was you thinkin' of doing wiv your boy, Mrs. Smith?
Mrs. Smith—Well, 'e's that fond of animals, 'is father was thinking of making a butcher of 'im.
How time does run. One takes breakfast here, another takes lunch, one or two may take supper, but all go to bed in another world.
The Department naturally welcomes the quick turnover of pilots, as the present system was calculated to supply a large reserve available in an emergency, so that money spent on training was not lost as was sometimes said. From now on, however, the young airman in South Africa will also be a gunner and his chance of entering upon a permanent military career will be far greater than under the old system. This consideration, will, it is expected, induce a considerable number of young men to apply for admission to the cadet course which

GET READY FOR BIG CARNIVAL AT THE FORUM WEDNESDAY, JANUARY 28th. SPECIAL PRIZES

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